

WeatherStone Community Association  
RULES AND REGULATIONS FOR ANTENNAS  
(FCC Requirements)

**A. Definitions**

1. Antenna - any device used for the receipt of video programming services, including direct broadcast satellite (DBS), television broadcast, and multipoint distribution service (MDS). A reception antenna that has limited transmission capability designed for the viewer to select or use video programming is a reception antenna provided that it meets FCC standards for radio frequency emission. A mast, cabling, supports, guy wires, conduits, wiring, fasteners, or other accessories necessary for the proper installation, maintenance, and use of a reception antenna shall be considered part of the antenna.
2. Mast - Structure to which an antenna is attached that raises the antenna height.
3. Transmission only antenna - any antenna used solely to transmit radio, television, cellular, or other signals.
4. Owner - any homeowner in the Association.
5. Telecommunications signal - signals received by DBS, television broadcast, and MDS antennas.

**B. Installation Rules**

1. Antenna Size and Type

- a. DBS antennas that are one meter or less in diameter may be installed. Antennas larger than one meter are prohibited.
- b. MDS antennas one meter or less in diameter may be installed. MDS antennas larger than one meter are prohibited.
- c. Antennas designed to receive television broadcast signals, regardless of size, may be installed so long as the installation is entirely upon the Owner's property.
- d. Installation of transmission - only antennas are prohibited unless approved by the Executive Board pursuant to the procedures in the Architectural Guidelines.
- e. All antennas not covered by the FCC rule are prohibited.

2. Location

- a. Antennas shall be installed solely on individually-owned or exclusive use property as designated on the owner's recorded deed and the Declaration.
- b. If acceptable quality signals may be received by placing antennas inside a dwelling, without reasonable delay or unreasonable cost increase, then outdoor installation may be prohibited.

c. Antennas shall not encroach upon common areas or common area airspace or any other owner's property.

d. Antennas shall be located in a place shielded from view from the street or from other lots to the maximum extent possible; provided, however, that nothing in this rule would require installation in a location from which an acceptable quality signal may not be received. This section does not permit installation on common property, even if an acceptable quality signal may not be received from an individually-owned lot.

### 3. Installation

a. Antenna shall be no larger nor installed higher than is absolutely necessary for reception of an acceptable quality signal and may not encroach into Common Area airspace.

b. All installations shall be completed so that they do not damage the common areas of the Association or the lot of any other resident, or void any warranties of the Association or other owners, or in any way impair the integrity of buildings on common areas or lots.

c. Owners are responsible for all costs associated with the antenna, including but not limited to costs to:

(1) Place (or replace), repair, maintain, and move or remove antennas;

(2) Repair damages to the common property, other lots, and any other property damaged by antenna installation, maintenance or use;

(3) Pay medical expenses incurred by persons injured by antenna maintenance or use;

(4) Reimburse residents or the Association for damages caused by antenna installation, maintenance, or use.

(5) Remove antenna as may be necessary to allow routine maintenance and repairs performed by the Association.

(6) Indemnify and hold Association harmless from any and all claims of any nature whatsoever, pertaining to the antenna.

### 4. Maintenance

a. Owners shall not permit their antennas to fall into disrepair or to become a safety hazard.

b. Owners shall be responsible for antenna maintenance and repair.

c. Owners shall be responsible for repainting or replacement if the exterior surface of the antennas deteriorates.

### 5. Safety

a. Antennas shall be installed and secured in a manner that complies with all applicable Township and Pennsylvania statutes, regulations, and manufacturer's instructions. The owner, prior to installation, shall provide the Association with a copy of any applicable governmental permit.

b. Antennas shall not be placed within an impermissible distance to power lines (above-ground or buried) and in no event shall antennas be placed where they may come into contact within electrical power lines. The purpose of this requirement is to prevent injury or damage resulting from contact with power lines.

c. All installations must comply with UL applicable codes.

d. In order to prevent electrical and fire damage, antennas shall be permanently and effectively grounded.

e. Antennas are required to withstand wind and shall be designed to withstand the pressure of snow and ice.

### **C. Antenna Camouflaging**

1. Antennas or masts may not extend beyond a railing or fence unless no acceptable quality signal may be received from this location, and under no circumstances, into Common Area airspace.

2. Antennas situated on the ground and visible from the street or from other lots must be hidden by existing landscaping, if an acceptable quality signal may be received from such placement.

3. Antennas, masts, and any visible wiring must be painted to match the color of the structure to which it is installed. Association residents are advised to insure that paint will not degrade the signal.

4. Antennas may not obstruct a driver's view of an intersection or street.

### **D. Number of Antennas**

1. No more than one antenna of each provider may be installed by an owner.

### **E. Mast Installation**

1. Mast height may be no higher than absolutely necessary to receive acceptable quality signals and shall not extend into Common Area airspace.

2. Masts that extend 12 feet or less beyond the roofline may be installed subject to the regular notification process. Masts that extend more than 12 feet above the roofline must be approved before installation due to safety concerns posed by wind loads and the risk of falling antennas and masts. Any application for a mast longer than 12 feet must include a detailed description of the structure and anchoring of the antennas and the mast, as well as an explanation of the necessity for a mast higher than 12 feet. If this installation will pose a safety hazard to association residents and personnel, then the association may prohibit such installation. The notice of rejection shall specify these safety risks.

3. Masts must be installed by a licensed and insured contractor.

4. Masts must be painted the appropriate color to match their surroundings.
5. Masts installed on a roof shall not be installed nearer to the lot line than the total height of the mast and antenna structure above the roof. The purpose of this regulation is to protect persons and property that would be damaged if the mast were to fall during a storm or from other causes.
6. Masts shall not be installed nearer to electric power lines than the total height of the mast and antenna structure above the roof. The purpose of this regulation is to avoid damage to electric power lines if the mast should fall in a storm.
7. Masts shall not encroach upon another owner's lot or common property.
8. Masts installed on the ground must sustain substantial winds.
9. Masts must be designed to withstand the weight of ice and snow.

#### **F. Association Maintenance of Locations upon Which Antennas are Installed**

1. If antennas are installed on property for which the Association has maintenance responsibility, owners retain responsibility for antenna maintenance. Owners must not install antennas in a manner that will result in increased maintenance costs for the Association or for other residents. If such damage occurs, owners are responsible for these costs.
2. If maintenance requires antenna removal, the Association shall provide owners with 10 days written notice. Owners shall be responsible for removing antennas before maintenance begins. If owners do not remove antennas by the required time, then the Association may do so, at the owner's expense. The association is not liable for any resulting damage to antennas.

#### **G. Enforcement**

1. If these rules are violated, the Association may bring action for declaratory relief with the FCC or any court of competent jurisdiction after notice and an opportunity to be heard. If the court or FCC determines that the Association rule is enforceable, a fine of \$50 shall be imposed by the Association for each violation. If the violation is not corrected within a reasonable length of time, additional fines of \$10 per day will be imposed for each day the violation continues. To the extent permitted by law, the Association shall be entitled to reasonable attorney fees, costs, and expenses incurred in the enforcement of this policy.
2. If antenna installation poses a serious, immediate safety hazard, the Association may seek injunctive relief to prohibit or seek removal of the installation.

NOTIFICATION OF INSTALLATION OF ANTENNA

Unit Owner(s) Name: \_\_\_\_\_

Unit Owners Address: \_\_\_\_\_  
\_\_\_\_\_

Type of Installation (“Installation”):

Specific Location: (feel free to draw a diagram)

Height of any antenna mast, if applicable: \_\_\_\_\_

I/We acknowledge reviewing the Association’s Installation of Antenna Rules. I/We agree to abide by the rules and further expressly agree to indemnify and hold the Association harmless from any and all claims pertaining to the Installation.

Date: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_